REMARKS

Upon entry of this Amendment, claims 1-4, 6-23, and 14-20 will remain pending

and under current examination. Applicants respectfully request reconsideration of this

application in light of the following remarks.

In the Office Action[1], the Examiner rejected claims 1-4, 6, 7, 9-12, and 14-20

under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,571,234 to

Knight et al. ("*Knight*"); and rejected claims 5 and 13 under 35 U.S.C. § 103(a) as being

unpatentable over *Knight* in view of U.S. Patent No. 5,796,393 to MacNaughton et al.

("*MacNaughton*").

In the Office Action, the Examiner indicated that claim 8 is rejected under 35

U.S.C. § 102(e) as being anticipated by *Knight* (Office Action at p. 2). However, the

Examiner did not provide a rejection of claim 8. Applicant therefore respectfully submits

that claim 8 is allowable. Should the Examiner reject claim 8 in a subsequent Office

Action, Applicant respectfully requests that the Office Action be non-final.

In the Office Action, the Examiner asserts "[t]he Information Disclosure

Statement filed 02/27/2002 fails to comply with 37 CFR 1.98(a)(3) because it does not

include a concise explanation of the relevance, as it is presently understood by the

individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the

information, of each patent listed that is not in the English language" (See Office Action

at p. 2). However, in accordance with 37 C.F.R. § 1.98(a)(3)(i), concise statements of

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[1] The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

the relevance of the non-English language documents are provided in the Information

Disclosure Statement mailed February 27, 2002 at pp. 1-2.

Accordingly, Applicants respectfully request that the Examiner consider and

return acknowledgment of consideration of the Information Disclosure Statement mailed

February 27, 2002.

Applicant amends claims 1, 2, 9, 10, 17, and 18 to include subject matter

previously recited in claims 5 and 13. Applicant amends claims 14, 15, 19, and 20 to

improve form or grammar and not for reasons related to patentability.

Applicant respectfully traverses the Examiner's rejections for the following

reasons.

I.   **Regarding the rejection of claims 1-4, 6, 7, 9-12, and 14-20 under 35
        U.S.C. § 102(e) as being unpatentable by *Knight***

Applicants respectfully traverse the rejection of claims 1-4, 6, 7, 9-12, and 14-20

under 35 U.S.C. § 102(e) as unpatentable by *Knight*. In order to properly establish that

Knight anticipates Applicants' claimed invention under 35 U.S.C. § 102, each and every

element of each of the claims in issue must be found, either expressly described or

under principles of inherency, in that single reference. Furthermore, "[t]he identical

invention must be shown in as complete detail as is contained in the ... claim." *See*

M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9

U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Claim 1 calls for a combination including, for example,

> access control means for making user authentication of a client
> terminal as an access request source so as to permit the client terminal to
> post a message; ... [and]

>   **message subscription type setting means** for setting a subscription
> type **indicating the way a user subscribes** to the categorized and
> accumulated messages in accordance with an instruction from the user,
>   wherein the subscription type includes at least <u>delivery via mail</u> and
> browsing via a browser

(emphasis added). *Knight* fails to teach at least these elements.

The Examiner asserts that *Knight*, in column 8, lines 53-55, column 9, lines 4-5,

and column 12, lines 40-42, discloses "access control means for making user

authentication of a client terminal as an access request source so as to permit the client

terminal to post a message," as recited by claim 1 (Office Action at p. 3). However, the

cited portion of *Knight* does <u>not</u> teach or suggest "user authentication of a client

terminal," as recited by claim 1.

Moreover, the Examiner asserts that *Knight*, in column 13, lines 15-25 and

column 15, lines 1-8 and 20-24, describes "message subscription type setting means for

setting a subscription type indicating the way a user subscribes to the categorized and

accumulated messages in accordance with an instruction from that user," as recited by

claim 1 (Office Action at p. 3). However, the cited portions of *Knight* merely disclose

that users retrieve messages via a web browser. *Knight* does not teach or suggest at

least "<u>message subscription type setting means</u> for setting a subscription type <u>indicating</u>

<u>the way a user subscribes</u> to the categorized and accumulated messages in

accordance with an instruction from the user," (emphasis added) as recited by claim 1.

Further, *Knight* fails to teach or suggest at least "a subscription type indicating

the way a user subscribes ... [that] includes at least <u>delivery via mail</u> and browsing via a

browser," as recited by claim 1.

Accordingly, *Knight* cannot anticipate claim 1 or dependent claim 4, which depends from claim 1 and therefore includes all of the elements recited therein. Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claims 1 and 4 as being anticipated by *Knight*.

Independent claim 2, although of different scope, recites elements similar to elements recited by claim 1. Claim 3 depends from claim 2 and therefore includes all of the elements recited therein. Accordingly, for at least the reasons discussed above with respect to claim 1, *Knight* cannot anticipate claims 2 and 3. Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 2 and 3 under 35 U.S.C. § 102(e) as being anticipated by *Knight*.

Moreover, claim 2 recites a combination including, for example, "message subscription type setting means for setting a subscription type indicating the way a user subscribes to the categorized and accumulated messages in accordance with an instruction from a predetermined administrator." The Examiner states that *Knight* teaches this element in column 19, lines 55-60 and column 20, lines 1-21 and 55-60 (Office Action at p. 4). However, the cited portion of *Knight* does not teach or suggest at least "message subscription type setting means for setting a subscription type <u>indicating the way a user subscribes</u> to the categorized and accumulated messages in accordance with an instruction <u>from a predetermined administrator</u>," as recited by independent claim 2.

Independent claims 6 and 7, although of different scope, recite elements similar to elements recited by claim 1. Accordingly, for at least the reasons discussed above with respect to claim 1, *Knight* cannot anticipate claims 6 and 7.

Moreover, independent claim 6 recites a combination including, for example,

> reply message processing means for, when a reply mail message used to post a reply message is sent back from the client terminal in response to a mail message used to deliver the categorized and accumulated message to a subscriber, automatically determining a virtual community to which the reply message should belong by analyzing a message header of the reply mail message, and categorizing and accumulating the reply message.

The Examiner states that *Knight* describes this element in column 12, lines 1-11, 20-24, and 40-42; column 13, lines 15-25; and column 15, lines 1-8 and 20-24 (Office Action at p. 5). However, the cited portions of *Knight* fail to teach or suggest at least a technology for "determining a virtual community to which the reply message should belong by analyzing a message header of the reply mail message," as recited by independent claim 6.

Further, independent claim 7 recites a combination including, for example,

> reply message processing means for, when a reply mail message used to post a reply message is sent back from the client terminal in response to a mail message used to deliver the categorized and accumulated message to a subscriber, automatically determining a virtual community to which the reply message should belong by analyzing a subject of the reply mail message, and categorizing and accumulating the reply message.

The Examiner states that *Knight* describes this element in column 12, lines 1-11, 20-24, and 40-42; column 13, lines 15-25; and column 15, lines 1-8 and 20-24 (Office Action at p. 6). However, the cited portions of *Knight* fail to teach or

suggest at least a technology for "determining a virtual community to which the reply message should belong by analyzing a subject of the reply mail message," as recited by independent claim 7.

Because *Knight* does not teach or suggest each and every element recited by claims 6 and 7, *Knight* cannot anticipate claims 6 and 7. Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 6 and 7 under 35 U.S.C. § 102(e) as being anticipated by *Knight*.

Independent claims 9, 10, 14, 15, 17, 18, 19, and 20, although of different scope, recite elements similar to elements recited by independent claims 1, 2, 6, and 7. Claims 12, 11, and 16 depend from claims 9, 10, and 14, respectively, and therefore include all of the elements recited therein. Accordingly, for at least the reasons discussed above, *Knight* cannot anticipate claims 9-12 and 14-19. Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 9-12 and 14-19 under 35 U.S.C. § 102(e) as being anticipated by *Knight*.

II. Regarding the rejection of claims 5 and 13 under 35 U.S.C. § 103(a) as being patentable over *Knight* in view of *MacNaughton*

Applicant has canceled claims 5 and 13, rendering this rejection moot.

The cited reference, *MacNaughton* (column 5, lines 45-55; column 7, lines 8-10; column 8, lines 56-57; and column 22, lines 20-22), does not disclose "a subscription type wherein a user subscribes to categorized and accumulated messages delivered via mail," as recited in original claim 5 and amended independent claims 1, 2, 9, 10, 17, and 18. Rather, the parts of the *MacNaughton* pointed out by the Examiner merely disclose

use of a web browser. While *MacNaughton* discloses that users may retrieve "personal

messages (e.g., email)" (*MacNaughton*, col. 7, line 10), this does not constitute a

teaching or suggestion of "message subscription type setting means for setting a

subscription type indicating the way a user subscribes to the categorized and

accumulated messages in accordance with an instruction from the user, wherein the

subscription type includes at least delivery via mail and browsing via a browser," as

recited by amended independent claim 1.
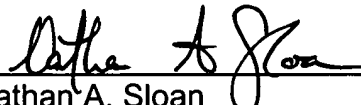
III.   Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully

request reconsideration and reexamination of this application and the timely allowance

of the pending claims.

Please grant any extensions of time required to enter this response and charge

any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 7, 2005   By:_____
                                          Nathan A. Sloan
                                          Reg. No. 56,249